

6-12-06

TFW

Docket No.: 067234-0015

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark S. CHEE, et al.
 Appl. No. : 10/620,852
 Filed : July 15, 2003
 Title : MULTIPLEX NUCLEIC ACID REACTIONS

Customer No.: 41552
 Confirmation No.: 2545

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

Grp./A.U. : 1637
 Examiner: : Joyce TUNG



"Express Mail" Mailing Label Number EV 643141506 US
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 8, 2006.

L. Smith
 Lorraine Smith

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is the **Information Disclosure Statement, PTO-1449 forms, copies of cited references and International Search Report** in connection with the above-identified application.

- ☒ No additional fee is required.
☐ Applicant is entitled to small entity status under 37 CFR 1.27
☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	0	0	0	\$50.00 =	\$0.00
Independent Claims	0	0	0	\$200.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$0.00
Total of Above Calculations					\$0.00

- ☐ Please charge my Deposit Account No. 502624 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

David A. Gay
 David A. Gay
 Registration No. 39,200

Please recognize our Customer No. 41552 as our
 correspondence address.

4370 La Jolla Village Drive, Suite 700
 San Diego, CA 92122
 Phone: 858.535.9001 DAG:CMM
 Facsimile: 858.597.1585
 Date: June 8, 2006

SDO 46065-1.067234.0015



Packet No.: 067234-0015

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REACTIONS

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Lorraine Smith

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

Five of the English language references were cited in a corresponding foreign application search report or office action and its relevance discussed therein. A copy of the foreign search report or office action is attached for the Examiner's information.

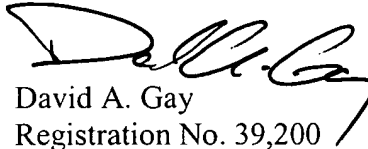
10/620,852

The relevance of each non-English language reference, if any, is discussed in the present specification.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "D. A. Gay", is written over the printed name and registration number.

David A. Gay

Registration No. 39,200

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DAG:CMM
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as our correspondence address.**

SDO 46061-1.067234.0015

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

ATTY. DOCKET NO.
067234-0015

SERIAL NO.
10/620,852

APPLICANT
CHEE, et al.

FILING DATE
July 15, 2003

GROUP
1637

U.S. PATENT DOCUMENTS

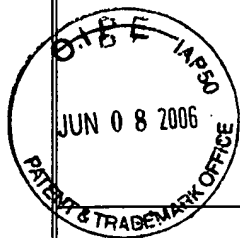
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US 4,200,110	04-29-1980	PETERSON et al.	
	2	US 4,499,052	02-12-1985	FULWYLER	
	3	US 4,563,419	01-07-1986	RANKI and SODERLUND	
	4	US 4,682,895	07-28-1987	COSTELLO	
	5	US 4,751,177	01-14-1988	STABINSKY	
	6	US 4,785,814	11-22-1988	KANE	
	7	US 4,822,746	04-18-1989	WALT	
	8	US 4,824,789	04-25-1989	YAFUSO et al.	
	9	US 4,876,187	10-24-1989	DUCK et al.	
	10	US 4,883,750	11-28-1989	WHITELEY et al.	
	11	US 4,999,306	03-12-1991	YAFUSO et al.	
	12	US 5,002,867	03-26-1991	MACEVICZ	
	13	US 5,011,769	04-30-1991	DUCK et al.	
	14	US 5,028,545	07-02-1991	SOINI	
	15	US 5,105,305	04-14-1992	BETZIG et al.	
	16	US 5,114,864	05-19-1992	WALT	
	17	US 5,130,238	07-14-1992	MALEK et al.	
	18	US 5,132,242	07-21-1992	CHEUNG	
	19	US 5,143,853	09-01-1992	WALT	
	20	US 5,185,243	2-09-1993	ULLMAN et al.	
	21	US 5,194,300	03-16-1993	CHEUNG	
	22	US 5,242,794	09-07-1993	WHITELEY et al.	
	23	US 5,244,636	09-14-1993	WALT et al.	
	24	US 5,244,813	09-14-1993	WALT et al.	
	25	US 5,250,264	10-05-1993	WALT et al.	
	26	US 5,252,494	10-12-1993	WALT	
	27	US 5,254,477	10-19-1993	WALT	
	28	US 5,298,741	03-29-1994	WALT et al.	
	29	US 5,302,509	04-12-1994	CHEESEMAN	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.



INFORMATION DISCLOSURE CITATION IN AN APPLICATION					ATTY. DOCKET NO. 067234-0015		SERIAL NO. 10/620,852			
					APPLICANT CHEE, et al.					
					FILING DATE July 15, 2003				GROUP 1637	
	30	US	5,320,814	06-14-1994	WALT et al.					
	31	US	5,357,590	10-18-1994	AURACHER					
	32	US	5,380,489	01-10-1995	SUTTON et al.					
	33	US	5,399,491	03-21-1995	KACIAN et al.					
	34	US	5,403,711	04-04-1995	WALDER et al.					
	35	US	5,409,818	04-25-1995	DAVEY et al.					
	36	US	5,427,930	06-27-1995	BIRKENMEYER et al.					
	37	US	5,435,724	07-25-1995	GOODMAN et al.					
	38	US	5,445,934	08-29-1995	FODOR et al.					
	39	US	5,455,166	10-03-1995	WALKER					
	40	US	5,474,895	12-12-1995	ISHII et al.					
	41	US	5,481,629	01-02-1996	TABUCHI					
	42	US	5,489,507	02-06-1996	CHEHAB					
	43	US	5,494,798	02-27-1996	GERDT et al.					
	44	US	5,494,810	02-27-1996	BARANY et al.					
	45	US	5,496,997	03-05-1996	POPE					
	46	US	5,512,490	04-30-1996	WALT et al.					
	47	US	5,516,635	05-14-1996	EKINS et al.					
	48	US	5,521,065	05-28-1996	WHITELEY et al.					
	49	US	5,541,311	07-30-1996	DAHLBERG et al.					
	50	US	5,545,531	08-13-1996	RAVA et al.					
	51	US	5,554,516	09-10-1996	KACIAN et al.					
	52	US	5,565,324	10-15-1996	STILL et al.					
	53	US	5,571,639	11-05-1996	HUBBELL et al.					
	54	US	5,573,907	11-26-1996	CARRINO et al.					
	55	US	5,573,909	11-12-1996	SINGER et al.					
	56	US	5,575,849	11-19-1996	HONDA et al.					
	57	US	5,578,832	11-26-1996	TRULSON et al.					
	58	US	5,593,840	01-04-1997	BHATNAGAR et al.					
	59	US	5,595,890	01-21-1997	NEWTON et al.					
	60	US	5,601,978	02-11-1997	BURCZAK et al.					
	61	US	5,614,402	03-25-1997	DAHLBERG et al.					
	62	US	5,633,972	05-27-1997	WALT et al.					

EXAMINER	DATE CONSIDERED
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					APPLICANT CHEE, et al.			
					FILING DATE July 15, 2003		GROUP 1637	
	63	US	5,639,603	06-17-1997	DOWER et al.			
	64	US	5,656,241	08-12-1997	SEIFERT et al.			
	65	US	5,660,988	08-26-1997	DUCK et al.			
	66	US	5,679,524	10-21-1997	NIKIFOROV et al.			
	67	US	5,690,894	11-25-1997	PINKEL et al.			
	68	US	5,705,365	01-06-1998	RYDER et al.			
	69	US	5,710,029	01-20-1998	RYDER et al.			
	70	US	5,719,028	02-17-1998	DAHLBERG et al.			
	71	US	5,733,729	03-31-1998	LIPSHUTZ et al.			
	72	US	5,744,305	04-28-1998	FODOR et al.			
	73	US	5,792,607	08-11-1998	BACKMAN et al.			
	74	US	5,795,716	08-18-1998	CHEE et al.			
	75	US	5,800,992	09-01-1998	FODOR et al.			
	76	US	5,814,524	09-29-1998	WALT et al.			
	77	US	5,830,711	11-03-1998	BARANY et al.			
	78	US	5,834,758	11-10-1998	TRULSON et al.			
	79	US	5,840,256	11-24-1998	DEMERS et al.			
	80	US	5,843,669	12-01-1998	KAISER et al.			
	81	US	5,846,710	12-08-1998	BAJAJ			
	82	US	5,846,717	12-08-1998	BROW et al.			
	83	US	5,854,033	12-29-1998	LIZARDI			
	84	US	5,854,684	12-29-1998	STABILE et al.			
	85	US	5,856,083	01-05-1999	CHELSKY et al.			
	86	US	5,858,732	01-12-1999	SOLOMAN et al.			
	87	US	5,863,708	01-26-1999	ZANZUCCHI et al.			
	88	US	5,869,252	02-09-1999	BOUMA et al.			
	89	US	5,871,928	02-16-1999	FODOR et al.			
	90	US	5,874,219	02-23-1999	RAVA et al.			
	91	US	5,876,924	03-02-1999	ZHANG et al.			
	92	US	5,888,723	03-30-1999	SUTTON et al.			
	93	US	5,888,779	03-30-1999	KACIAN et al.			
	94	US	5,888,819	03-30-1999	GOELET et al.			
	95	US	5,900,481	05-04-1999	LOUGH et al.			

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					APPLICANT CHEE, et al.			
					FILING DATE July 15, 2003		GROUP 1637	
	96	US	5,935,793	08-10-1999	WONG			
	97	US	5,942,391	08-24-1999	ZHIANG et al.			
	98	US	5,952,174	09-14-1999	NIKIFOROV et al.			
	99	US	5,974,164	10-26-1999	CHEE			
	100	US	6,013,456	01-11-2000	Akhavan-Tafti			
	101	US	6,023,540	02-08-2000	WALT et al.			
	102	US	6,025,601	02-15-2000	TRULSON et al.			
	103	US	6,027,889	02-22-2000	BARANY et al.			
	104	US	6,040,138	03-21-2000	LOCKHART et al.			
	105	US	6,051,380	04-18-2000	SOSNOWSKI et al.			
	106	US	6,054,564	04-25-2000	BARANY et al.			
	107	US	6,060,245	05-009-2000	SORGE et al.			
	108	US	6,066,454	05-23-2000	LIPSHUTZ			
	109	US	6,083,763	07-04-2000	BALCH			
	110	US	6,110,678	08-29-2000	WEISBURG et al.			
	111	US	6,124,102	09-26-2000	FODOR et al.			
	112	US	6,143,495	11-07-2000	LIZARDI et al.			
	113	US	6,172,218	01-09-2001	BRENNER			
	114	US	6,183,960	02-06-2001	LIZARDI			
	115	US	6,185,561	02-06-2001	BALABAN et al.			
	116	US	6,188,783	02-13-2001	BALABAN et al.			
	117	US	6,197,506	03-06-2001	FODOR et al.			
	118	US	6,210,884	04-03-2001	LIZARDI			
	119	US	6,225,625	05-01-2001	PIRRUNG et al.			
	120	US	6,229,911	05-08-2001	BALABAN et al.			
	121	US	6,248,539	06-19-2001	GHADIRI et al.			
	122	US	6,251,639	06-26-2001	KURN			
	123	US	6,255,625	05-01-2001	PIRRUNG et al.			
	124	US	6,261,776	07-17-2001	PIRRUNG et al.			
	125	US	6,268,148	07-31-2001	BARANY et al.			
	126	US	6,280,935	08-28-2001	MACEVICZ			
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	127	US	6,291,183	09-18-2001	PIRRUNG et al.			
	128	US	6,308,170	10-23-2001	BALABAN			
	129	US	6,309,822	10-30-2001	FODOR et al.			
	130	US	6,316,229	11-13-2001	LIZARDI et al.			
	131	US	6,346,413	02-12-2002	FODOR et al.			
	132	US	6,355,431	03-12-2002	CHEE et al.			
	133	US	6,355,432	03-12-2002	FODOR et al.			
	134	US	6,399,365	06-04-2002	BESEMER et al.			
	135	US	6,403,320	06-11-2002	READ et al.			
	136	US	6,416,952	07-09-2002	PIRRUNG et al.			
	137	US	6,440,667	08-27-2002	Lipshutz et al.			
	138	US	6,451,536	09-17-2002	FODOR et al.			
	139	US	6,491,871	12-10-2002	FODOR et al.			
	140	US	6,511,810	01-28-2003	BI et al.			
	141	US	6,544,739	04-08-2003	FODOR et al.			
	142	US	6,576,424	06-10-2003	FODOR et al.			
	143	US	6,604,902	08-12-2003	NORRIS et al.			
	144	US	6,610,482	08-26-2003	FODOR et al.			
	145	US	6,618,679	09-09-2003	LOEHRLEIN et al.			
	146	US	6,627,402	09-30-2003	WALLACE			
	147	US	6,646,243	11-11-2003	PIRRUNG et al.			
	148	US	2002/0006617	01-02-2002	FAN et al.			
	149	US	2002/0132241	09-19-2002	FAN et al.			
	150	US	2002/0177141	11-28-2002	CHEE et al.			
	151	US	2003/0036064	02-20-2003	STUELPNAGEL et al.			
FOREIGN PATENT DOCUMENTS								
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Code3 -Number 4 -Kind Code5 (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No	
	152	EP 0 269 764		06-08-1988	Molecular Biosystems			
	153	EP 0 320 308		11-03-1993	Abbott Laboratories			

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				APPLICANT CHEE, et al.			
				FILING DATE July 15, 2003		GROUP 1637	
	154	EP 0 336 731	05-11-1994	City of Hope			
	155	EP 0 392 546	10-17-1990	Ro Institute Za Molekularnu Genetiku			
	156	EP 0 439 182	04-24-1996	Abbott Laboratories			
	157	EP 0 478 319	04-01-1992	Kabushiki Kaisha Toshiba			
	158	EP 0 723 146	07-24-1996	SRI International			
	159	EP 0 799 897	10-08-1997	Affymetrix, Inc.			
	160	EP 1 121 465	09-04-2002	Tepnel Medical Limited			
	161	GB 2156074A	10-02-1985	Orion-Yhtyma OY			
	162	WO 86/03782	07-03-1986	MALCOLM, et al.			
	163	WO 89/09835	10-19-1989	The Salk Institute for Biological Studies			
	164	WO 89/11101	11-16-1989	Dynal A.S.			
	165	WO 89/12696	12-28-1989	Amgen, Inc.			
	166	WO 90/01069	02-08-1990	Segev Diagnostics Inc.			
	167	WO 90/01564	02-22-1990	Microprobe Corporation			
	168	WO 93/02360	02-04-1993	Transmed Biotech Incorporated			
	169	WO 93/25563	12-23-1993	Wallace			
	170	WO 95/00667	01-05-1995	The Research Foundation of State University of New York			
	171	WO 95/01416	01-12-1995	The Proctor & Gamble Company			
	172	WO 95/05480	02-23-1995	ID Biomedical Corporation			
	173	WO 96/03212	02-08-1996	Brenner			
	174	WO 96/15271	05-23-1996	Abbott Laboratories			
	175	WO 96/17958	06-13-1996	The Regents of the University of California			
	176	WO 97/04559	12-04-1997	Ascom Nexion Inc.			
	177	WO 97/14028	04-17-1997	Luminex Corporation			
	178	WO 97/14928	04-24-1997	Brint			

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				APPLICANT CHEE, et al.					
				FILING DATE July 15, 2003		GROUP 1637			
	179	WO 97/31256	08-28-1997	Cornell Research, et al.					
	180	WO 97/40385	10-30-1997	Seul					
	181	WO 97/45559	12-04-1997	Cornell Research Foundation, Inc.					
	182	WO 97/46704	12-11-1997	Lynx Therapeutics					
	183	WO 98/04746	02-05-1998	Mount Sinai School of Medicine of the City University of New York					
	184	WO 98/13523	04-02-1998	Pyrosequencing AB					
	185	WO 98/40726	09-17-1998	Trustees of Tufts College					
	186	WO 98/50782	11-12-1998	Trustees of Tufts College					
	187	WO 98/53093	11-26-1998	Bioarray Solutions LLC, et al.					
	188	WO 98/53300	11-26-1998	Lynx Therapeutics Inc.					
	189	WO 98/04746	02-05-1998	Mount Sinai School of Medicine of the City University of New York					
	190	WO 99/18434	04-15-1999	Trustees of Tufts College					
	191	WO 99/53102	10-21-1999	Packard Bioscience Company					
	192	WO 99/60170	11-25-1999	Hyseq, Inc.					
	193	WO 99/67414	12-29-1999	Glaxo Group Limited					
	194	WO 99/67641	12-29-1999	Illumina, Inc.					
	195	WO 00/04372	01-27-2000	The Board of Regents, The Univ. of Texas					
	196	WO 00/13004	03-09-2000	Trustees of Tufts College					
	197	WO 00/14193	03-16-2000	MacGregor					
	198	WO 00/16101	03-23-2000	Trustees of Tufts College					
	199	WO 00/39587	07-06-2000	Illumina, Inc.					
	200	WO 00/47996	08-17-2000	Illumina, Inc.					
	201	WO 00/48000	08-17-2000	Illumina, Inc.					
	202	WO 00/58516	10-05-2000	Whitehead Institute for Biomedical					
EXAMINER				DATE CONSIDERED					

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				Research					
	203	WO 00/63437	10-26-2000	Illumina, Inc.					
	204	WO 00/71243	11-30-2000	Illumina, Inc.					
	205	WO 00/71992	11-30-2000	Illumina, Inc.					
	206	WO 00/71995	11-30-2000	Illumina, Inc.					
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)									
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.							
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